

AMENDMENTS TO THE DRAWINGS

Please amend the drawings by replacing informal FIGs. 1 and 2 with the respective identically numbered formal FIGs. 1 and 2 attached herein.

REMARKS/ARGUMENTS

Claims 5-7, 12, 13, and 19-30 remain pending in this application.

In response to the Office Action, Claims 1-4, 8-11, and 14-18 were canceled. Claims 5, 7, and 12 were amended. Claims 6 and 13 remain unchanged. New Claims 19-30 were added.

Rejection of Claims 1,4-5, 8, 11-12, 15, and 18 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392):

The rejection of Claims 1,4, 8, 11, 15, and 18 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392) is moot in view of the cancellation of claims 1,4,8,11,15, and 18.

Applicant respectfully requests reconsideration of the rejection of Claims 5 and 12 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392) as herein amended. Claims 5 and 12 have been amended to clarify Applicant's invention. Specifically, Claims 5 and 12 have been amended to that each of a plurality of nodes in an adhoc network store the same spreading algorithm and the same plurality of spreading codes. A first node selects a spreading code for use in transmitting a message to a second node using the spreading algorithm and the second node's address and at least one other factor. The second node identifies the same spreading code using the same spreading algorithm, the second node's address, at the at least one factor.

Applicant respectfully submits that Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), taken singly or in combination, do not recite nor anticipate two nodes communicating with each other using a unique spreading code just between the two of them for the sole duration of this transmission. The cited art does not recite nor anticipate the two communicating nodes storing the same spreading algorithm for selecting a spreading code already stored in each of the two communicating nodes using various factors known to both nodes. For example, only the two communicating nodes know what their local environment is like – at the precise moment the message is being communicating – so they

can choose a code that will be efficient and unique for this moment. Next time the world may have changed so they would have to repeat the process for the next message. None of the cited art has the individual nodes figuring out and agreeing to use a unique spreading code between them for that instant with information already stored individually in each of the nodes.

Applicants respectfully submit that claims 5 and 12 are in proper condition for allowance and request that claims 5 and 12 may now be passed to allowance.

Rejection of Claims 2-3, 6, 9-10, 13, 16-17 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), and further in view of Schilling et al (US Patent No. 6,512,784):

The rejection of Claims 2-3, 9-10, and 16-17 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), and further in view of Schilling et al (US Patent No. 6,512,784) is moot in view of the cancellation of claims 2-3, 9-10, and 16-17.

Applicant respectfully requests reconsideration of the rejection of Claims 6 and 13 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), and further in view of Schilling et al (US Patent No. 6,512,784) as herein amended. Claims 6 and 13 include further limitations of claims 5 and 12, which claims were shown to be allowable previously herein. Therefore, Applicant respectfully submits that Claims 6 and 13 are in in proper condition for allowance and request that claims 6 and 13 may now be passed to allowance.

Rejection of Claims 7 and 14 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), and further in view of Difonzo et al (US Patent Application No. 2005/0164664):

The rejection of Claim 14 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), and further in view of Difonzo et al (US Patent Application No. 2005/0164664) is moot in view of the cancellation of claim 14.

Applicant respectfully requests reconsideration of the rejection of Claim 7 under 35 U.S.C. 103(a) as being unpatentable over Schilling et al (US Patent Application No. 2002/0067756) in view of Wang et al (US Patent No. 5,850,392), and further in view of Difonzo et al (US Patent Application No. 2005/0164664) as herein amended. Claim 7 includes further limitations of claim 5, which claim was shown to be allowable previously herein. Therefore, Applicant respectfully submits that Claims 7 is in are in proper condition for allowance and request that claim 7 may now be passed to allowance.

New Claims

Applicants have herein added new claims 19-30. Support for claims 19-30 can be found in FIGs 1 and 2 and paragraphs [0026] through [0028] of Applicants' originally filed specification. Consequently, claims 19-30 do not introduce any new matter into the specification. Applicants respectfully submit that new claims 19-30 recite subject matter that constitutes patentable subject matter, and therefore Applicants respectfully submit that claims 19-30 are in proper condition for allowance and request that claims 19-30 may now be passed to allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

August 22, 2006

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